

REMARKS

Claims 1-51 are pending. Claims 1-26, 30-33, 36-37, 39, 41, 43-46, and 49-50 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,256,737 to Bianco et al. Claims 27-29 and 34 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,256,737 to Bianco et al. Claims 35 and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,256,737 to Bianco et al in view of U.S. Patent No. 6,233,618 to Herz. Claims 38 and 51 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,256,737 to Bianco et al in view of U.S. Patent No. 6,233,618 to Shannon. Claim 40 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,256,737 to Bianco et al in view of U.S. Patent No. 6,011,858 to Stock et al. Claims 42 and 47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,256,737 to Bianco et al in view of U.S. Patent No. 6,119,096 to Mann et al.

Reconsideration is requested. No new matter is added. Claims 1, 3-6, 8, 14, 17-18, 20, 22-26, 28-34, 38-39, 41-47, and 51 are amended to clean up the claim language. Claims 52-72 are added. The rejections are traversed. Claims 1-72 remain in the case for consideration.

New claims 54-72 are supported by the specification generally, as they are similar in nature to the already presented claims. Specifically, new claims 54-72 all include user-customizable rule modules, which are not taught by Bianco. New claims 54-72 also present specific combinations of pattern data from original claim 22 and execution commands drawn from claim 26. For example, claims 62 and 72 present the combination of using demographic information as pattern data to determine the user's eligibility to purchase restricted products: for example, alcohol or tobacco.

INTERVIEW SUMMARY

In an interview held on August 21, 2003, the undersigned's associate Ariel S. Rogson and the Examiner discussed the claims generally, with specific reference to claim 1, as compared to U.S. Patent No. 6,256,737 to Bianco et al. Mr. Rogson pointed out that the difference between authentication (as taught by Bianco) and identification. The Examiner agreed that there is a difference between identification and authentication, and that the claims distinctly indicate identification. C2: 67 to C3: 5

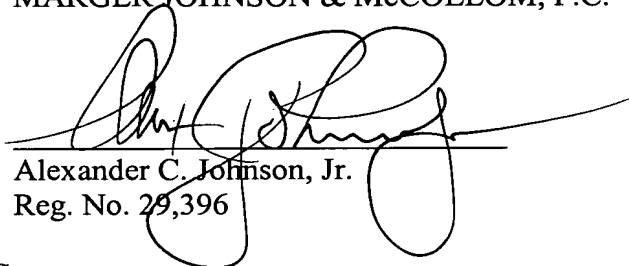
The undersigned also pointed out the difference between the rule module of the invention and the biometric policy of Bianco. Rule modules are user-customizable (see claim

1 at lines 7-9 and the specification at page 2, lines 7-13), whereas the biometric policy of Bianco cannot be modified by the user (or the user would be able to defeat the security requirements established by the biometric policy). In addition, rule modules are used only after the identification of the user, whereas the biometric policy of Bianco is used to control the authentication of the user (that is, before the user has been authenticated). The Examiner agreed that Bianco does not teach rule modules as claimed.

For the foregoing reasons, reconsideration and allowance of claims 1-72 of the application as amended is solicited. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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